IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Currently Amended): A toner comprising:

a binder resin comprising a urea-modified polyester resin; and

a colorant master batch comprising:

a colorant;

a resin; and

a pigment dispersant, which is a polymer dispersant,

wherein the color masterbatch is prepared by kneading at least the colorant, resin and pigment dispersant, whereby the colorant is stably dispersed in the resin,

wherein the toner is prepared by a method comprising:

dissolving or dispersing toner compositions comprising a modified polyester resin capable of being the urea-modified polyester resin and the colorant master batch in an organic solvent to prepare a liquid;

dispersing the liquid in an aqueous medium comprising resin fine particles while reacting the modified polyester resin with at least one of a crosslinker and an elongation agent to prepare particles of urea-modified polyester resin; and

washing the particles after removing the organic solvent therefrom, wherein the polymer dispersant is selected from the group consisting of acrylic resins, unsaturated polyester resins, oligomers of photosensitive monomers having a (meth)acryloyl group, polyester(meth)acrylate, hydrolysates of polyester(meth)acrylate, polyvinylacetate, partially saponified polyvinylacetate, polyvinylphenol, phenolnovolak resins, polystyrene, polyvinylbutyral, polychloroprene, polyvinylchloride, polyethylenechloride, polypropylenechloride, copolymers of styrene and maleic anhydride or their half esters,

copolymers of (meth)acrylic acid, and copolymers of (meth)acrylate esters, wherein the polymer dispersant excludes polycaprolactone resins.

Claim 2 (Previously Presented): The toner of Claim 1, wherein a content of the pigment dispersant is 1 to 30 % by weight based on total weight of the colorant.

Claim 3 (Currently Amended): The toner of Claim 1, wherein the colorant master batch further comprises a pigment dispersion auxiliary agent which is present during preparation of the colorant master batch.

Claim 4 (Previously Presented): The toner of Claim 1, wherein the colorant has a number-average particle diameter not greater than 0.5 μm, and wherein a ratio of particles of the colorant having a number-average particle diameter not less than 0.7 μm is not greater than 5 % by number.

Claim 5 (Previously Presented): The toner of Claim 1, wherein the toner compositions further comprise an unmodified polyester resin, and wherein a weight ratio (i/ii) between the urea-modified polyester resin (i) and unmodified polyester resin (ii) is from 5/95 to 25/75.

Claim 6 (Original): The toner of Claim 1, further comprising a wax.

Claim 7 (Original): The toner of Claim 1, wherein the toner has a glass transition temperature of from 40 to 70°C.

Claim 8 (Previously Presented): The toner of Claim 1, wherein the toner has a volume-average particle diameter of from 4 to 8 μm, and wherein a ratio (Dv/Dn) between the volume-average particle diameter (Dv) and a number-average particle diameter (Dn) of the toner is not greater than 1.25.

Claim 9 (Original): The toner of Claim 1, wherein the toner has an average circularity of from 0.94 to 1.00.

Claim 10 (Original): The toner of Claim 1, wherein the resin fine particles have an average particle diameter of from 5 to 500 nm.

Claim 11 (Original): A developer comprising the toner according to Claim 1.

Claim 12 (Original): An imaging forming method comprising:

charging a photoreceptor;

irradiating the photoreceptor to form an electrostatic latent image thereon;

developing the electrostatic latent image with a toner according to Claim 1 to form a toner image on the photoreceptor;

transferring the toner image onto a transfer sheet; and

fixing the toner image on the transfer sheet.

Claim 13 (Original): A toner container containing the toner according to Claim 1.

Claim 14 (Previously Presented): An image forming apparatus comprising:

a charger for charging a photoreceptor;

an irradiator for irradiating the photoreceptor to form an electrostatic latent image thereon;

an image developer comprising the toner according to Claim 1;

a transferer for transferring the toner image onto a transfer sheet; and

a fixer for fixing the toner image on the transfer sheet.

Claim 15 (Previously Presented): A detachable process cartridge with an image forming apparatus comprising:

a photoreceptor; and

a member selected from the group consisting of chargers and cleaners,

and an image developer comprising the toner according to claim 1.

Claims 16-17 (Canceled).

DISCUSSION OF THE AMENDMENT

Claim 1 has been amended by, in effect, incorporating the subject matter of Claim 16 therein, and adding that the colorant is stably dispersed in the resin, as supported in the specification at page 16, lines 5-9; Claim 16 has been canceled. Claim 1 has been further amended by inserting that the polymer dispersant excludes polycaprolactone resins. Since polycaprolactone resins are described as applicable polymer dispersants, excluding them complies with the description requirement. *In re Johnson*, 558 F.2d 1008, 194 USPQ 187 (CCPA 1977) (holding that a claim to a genus with a recital of a negative proviso that did not appear in the specification complied with the description requirement.)

Claim 3 has been amended by inserting that the pigment dispersion auxiliary agent is present during preparation of the colorant master batch, as supported in the specification at page 18, lines 3-5.

No new matter is believed to have been added by the above amendment. Claims 1-15 are now pending in the application.